

REMARKS/ARGUMENTS

Claims 1-8, 10-17 and 19-20 are now pending in this application. Claims 1, 10 and 19 are independent claims. Claims 1 and 10 have been amended. Claims 9 and 18 have been cancelled without prejudice.

Claim Rejections – 35 USC § 102

Claims 1-3, 6, 8, 9-12, 15 and 17-20 were rejected under 35 U.S.C. § 102(b) as being anticipated by Aug et al. USPN: 5,023,754 (hereinafter: Aug). (Office Action, Page 2). Applicants respectfully traverse these rejections.

Anticipation requires the disclosure in a single prior art reference of each element of the claim under consideration. *W.L. Gore & Assocs. v. Garlock*, 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983), *cert. denied*, 469 U.S. 851 (1984). Further, “anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim.” *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1984) (citing *Connell v. Sears, Roebuck & Co.*, 722 F.2d 1542, 220 USPQ 193 (Fed. Cir. 1983)) (emphasis added).

Applicants contend that independent claims 1, 10 and 19 each include elements that have not been disclosed or suggested by Aug. For example, claim 1 of the present application recites:

“an interface module suitable for being coupled to said midplane circuit board through said midplane chassis shield, the interface module including an EMC seal.”

The Patent Office cited structure (56) of Aug as teaching an EMC seal as claimed in the present invention. (Office Action, Page 3). Applicants contend that structure (56) of Aug does not teach an EMC seal as claimed in the present application because structure (56) refers to a logic element. (Aug, Column 3, Lines 10-11). The Patent Office cites that structure (56) is equivalent to the interface module claimed in the present invention. (Office Action, Page 2). However, applicants contend that the present invention claims an interface module which *includes* an EMC seal, as cited above. FIG. 4 of the present application clearly shows an interface module (structure 106) which

includes an EMC seal (structure 136). Applicants argue that nowhere in Aug is an interface module including an EMC seal as claimed in the present invention disclosed or suggested.

Referring to independent claims 10 and 19 of the present invention, applicants assert that claims 10 and 19 of the present invention include elements that have not been disclosed or suggested by Aug. For example claims 10 and 19 of the present invention each claim a housing. The Patent Office cited element (20) of Aug as teaching a housing as claimed in the present invention. (Office Action, Page 3). Applicants contend that element (20) of Aug does not teach a housing as claimed in the present application. Rather, applicants assert that element (20) of Aug teaches a backplane assembly. (Aug, Column 2, Lines 60-61). The backplane assembly (20) of Aug includes a central backplane card (22), two stiffeners (30) and two EMC shields. (Aug, Claim 2 and Column 3, Lines 3-38). Applicants contend that nowhere in Aug is a housing as claimed in the present invention disclosed or suggested.

Therefore, based on the above rationale, it is contended that Aug does not teach, disclose or suggest the above-referenced elements of claims 1, 10 and 19 of the present application. Under *Lindemann*, a prima facie case of anticipation has not been established for claims 1, 10 and 19. Thus, independent claims 1, 10 and 19 should be allowed. Dependent claims 2-8 (which depend on independent claim 1) dependent claims 11-17 (which depend on independent claim 10) and dependent claim 20 (which depends on independent claim 19) should also be allowed.


Claim Rejections – 35 USC § 103

Claims 4, 5, 13 and 14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Aug in view of Peterson USPN: 5,975,953 (hereinafter: Peterson). Claims 7 and 16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Aug in view of Jacques USPN: 6,483,023 (hereinafter: Jacques). It is contended that all of the claims rejected under this section depend on independent claims which are non-anticipatory and non-obvious based on the rationale above. Thus, all claims rejected under this section should also be allowed.

CONCLUSION

In light of the forgoing, reconsideration and allowance of the pending claims is earnestly solicited.

Respectfully submitted on behalf of
LSI Logic,

By: 
Jeffrey M. Andersen
Reg. No. 52,558

Dated: June 22, 2005

Jeffrey M. Andersen
Suiter • West • Swantz PC LLO
14301 FNB Parkway, Suite 220
Omaha, NE 68154
(402) 496-0300 telephone
(402) 496-0333 facsimile